

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit: 1913
	)	
DWAIN MORSE ET AL.	)	Examiner: D. REIFSNYDER
	)	
Serial No.: 10/810,928	)	
	)	
Filed: March 25, 2004	)	
	)	
For: <b>ADJUSTABLE CONTAMINATED</b>	)	
<b>LIQUID MIXING APPARATUS</b>	)	

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**AFFIDAVIT OF DENTON L. ANDERSON**

I, Denton L. Anderson, declare as follows:

1. I am a member of Sheldon Mak Rose & Anderson, attorneys for assignee Gerald M. Friedman (a.k.a. Jerry Friedman).

2. The present application was filed on March 25, 2004 naming as inventors Dwain E. Morse, Wade O. Morse and Thomas G. Matherly.

3. In a document dated March 24, 2004, inventors Dwain E. Morse, Wade O. Morse and Thomas G. Matherly assigned all right, title and interest in the application to Dwain E. Morse and Jerry Friedman. This assignment has been recorded by the United States Patent and Trademark Office in real/frame 015162/0771.

4. Assignees Dwain E. Morse and Jerry Friedman are now adverse to one another regarding, among other issues, the rightful ownership of the present application. Mr. Morse and Mr. Jerry Friedman are presently on opposite sides of a civil action pending in United States District Court, Western District of California, as Dwain E. Morse v. Clean Water Technology, Inc., Marvin Engineering Co., Gerald M. Friedman, a.k.a. Jerry Friedman [and] Ariel Lechter, Court Case No. CV07-1282 (AHM).

5. At the time the present application was filed, all parties were represented by attorneys at Kelly Bauersfeld Lowry & Kelley, LLP (now Kelly Lowry & Kelley, LLP), including Mr. Scott W. Kelley. Assignee Dwain E. Morse remains represented by those attorneys.

6. On July 18, 2006, however, assignor Friedman filed a Revocation of Power of Attorney and new Power of Attorney naming attorneys at the Law Firm of Sheldon & Mak (now Sheldon Mak Rose & Anderson), including Mr. Denton L. Anderson, as his attorneys of record. Unfortunately, the forms signed by Mr. Friedman inadvertently had the box checked indicating that Mr. Friedman was the assignee of the entire, right and interest in the invention. Because of this error, the United States Patent and Trademark Office records apparently indicate that Sheldon Mak Rose & Anderson attorneys are the attorneys of record for all of the parties.

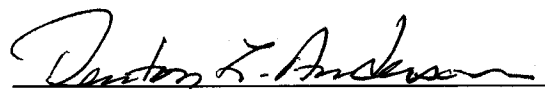
7. In fact, assignee Mr. Dwain E. Morse remains represented by Kelley Lowry & Kelley, LLP, while assignee Jerry Friedman is now represented by Sheldon Mak Rose & Anderson. The parties are adverse to one another and cannot agree on a single attorney of record.

8. Attorneys Scott W. Kelley and Denton L. Anderson, on behalf of both assignees, have agreed that it is in the best interests of both assignees that the present application go forward with attorneys from both Kelly Lowry & Kelley, LLP and Sheldon Mak Rose & Anderson as co-attorneys of record.

9. Messrs. Kelley and Anderson have further agreed that future correspondence should be directed to Mr. Anderson.

I declare under penalty of perjury that the foregoing is true and correct, and that if called to testify thereto, I could and would so testify. All of the statements made in this affidavit are personally known to me to be true, and any statements made on information and belief are believed to be true. I further declare that I understand that willful false statements and the like are punishable by fine or imprisonment or both (18 U.S.C. §§ 1001) and may jeopardize the validity of the application or any patent issuing thereon.

Executed this 9<sup>th</sup> day of April, 2007, at Pasadena, California.



Denton L. Anderson